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ATTORNEY DOCKET NO. APPLICATION NO. FILING DATE FIRST NAMED INVENTOR CONFIRMATION NO. 09/764,490 01/17/2001 (81609-5) Mohammad Reza Baraty 7197

7590

11/07/2002

W. Norman Roth **ROTH & GOLDMAN** A Professional Association 523 West 6th Street, Suite 707 Los Angeles, CA 90014

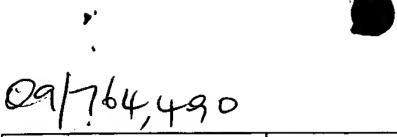
EXAMINER WACHSMAN, HAL D

ART UNIT PAPER NUMBER

2857

DATE MAILED: 11/07/2002

Please find below and/or attached an Office communication concerning this application or proceeding.





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,APPLICATION NO./	FILING DATE	FIRST NAMED INVENTOR /	ATTORNEY DOCKET NO.
CONTROL NO.		PATENT IN REEXAMINATION	
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EXAMINER

ART UNIT PAPER

6

DATE MAILED:

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Commissioner of Patents and Trademarks

Hal D Wachsman Primary Examiner Art Unit: 2857

•	Application No.	Applicant(s)		
t	09/764,490	BARATY, MOHAMMAD REZA		
Office Action Summary	Examiner	Art Unit		
•	Hal D Wachsman	2857		
The MAILING DATE of this communication Period for Reply	n appears on the cover sheet wi	th the correspondence address		
A SHORTENED STATUTORY PERIOD FOR R THE MAILING DATE OF THIS COMMUNICATI - Extensions of time may be available under the provisions of 37 C after SIX (6) MONTHS from the mailing date of this communication - If the period for reply specified above is less than thirty (30) days, - If NO period for reply is specified above, the maximum statutory properties to reply within the set or extended period for reply will, by - Any reply received by the Office later than three months after the earned patent term adjustment. See 37 CFR 1.704(b). Status	ON. FR 1.136(a). In no event, however, may a roon. a reply within the statutory minimum of third period will apply and will expire SIX (6) MON statute, cause the application to become AB	eply be timely filed by (30) days will be considered timely. ITHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).		
1) Responsive to communication(s) filed or	17 January 2001 .			
2a) This action is FINAL. 2b)	This action is non-final.			
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.				
Disposition of Claims	. 4			
4) Claim(s) 1-91 is/are pending in the application				
4a) Of the above claim(s) is/are withdrawn from consideration.				
5) Claim(s) is/are allowed.				
6) Claim(s) is/are rejected.				
7) Claim(s) is/are objected to.				
8) Claim(s) 1-91 are subject to restriction and/or election requirement.				
Application Papers	minor			
9) The specification is objected to by the Exa		the Evaminer		
10) The drawing(s) filed on is/are: a) Applicant may not request that any objection				
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.				
If approved, corrected drawings are required in reply to this Office action. 12) ☐ The oath or declaration is objected to by the Examiner.				
Priority under 35 U.S.C. §§ 119 and 120				
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).				
a) All b) Some * c) None of:	monte have been received			
1. Certified copies of the priority docu		Application No.		
2. Certified copies of the priority docu				
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 				
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).				
a) The translation of the foreign language 15) Acknowledgment is made of a claim for do	ge provisional application has b	een received.		
Attachment(s)				
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s)				
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6) Other: .				

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Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

- The species best illustrated by claims 1-51.
- II. The species best illustrated by claims 52-56.
- III. The species best illustrated by claims 57-91.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is deemed generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

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Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

- 2. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).
- Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hal D Wachsman whose telephone number is 703-305-9788. The examiner can normally be reached on Monday to Friday 7:00 A.M. to 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on 703-308-1677. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

Hal D Wachsman
Primary Examiner
Art Unit 2857

HW November 5, 2002